

**United States District Court**

**EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

SUNSET MANAGEMENT, LLC, ET AL.

V.

AMERICAN REALTY  
INVESTORS, INC, ET AL.

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CASE NO: 4:06CV18 (LEAD)  
4:06CV361 (Cons.)  
4:06CV483 (Cons.)  
(Judge Schneider/Judge Bush)

**MEMORANDUM ADOPTING REPORT AND RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the Report of the United States Magistrate Judge in this action, this matter having been heretofore referred to United States Magistrate Judge Don D. Bush pursuant to 28 U.S.C. § 636. On March 8, 2007, the Report of the Magistrate Judge was entered containing his proposed findings of fact and recommendations that Plaintiff's (Sunset's) Motion to Dismiss be GRANTED.

The Court, having made a *de novo* review of the objections raised by Defendants, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of Defendants/Counter-Plaintiffs are without merit. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court. It is, therefore,

**ORDERED, ADJUDGED and DECREED** that Plaintiff's (Sunset's) Motion to Dismiss (Docket No. 3, 4:06CV483) is **GRANTED**.

**IT IS SO ORDERED.**

**SIGNED this 27th day of June, 2007.**



MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE